

Americans with Disabilities Act

Facts about the

AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) of 1990 (P.L. 101-336) gives to individuals with disabilities civil rights equal to those accorded on the basis of race, sex, national origin and religion.

It guarantees for individuals with disabilities equal opportunity for employment, public accommodations, transportation, state and local government services and telecommunications.

The ADA was signed into law by President George Bush on July 26, 1990.

Employment

Employers may not discriminate against an individual with a disability in hiring or promotion if the person is otherwise qualified for the job. Employers can ask about one's ability to perform a job, but cannot inquire if someone has a disability or subject a person to tests that tend to screen out people with disabilities.

Employers will need to provide "reasonable accommodation" to individuals with disabilities. This includes steps such as job restructuring and modification of equipment.

Employers do not need to provide accommodations that impose an "undue" hardship on business operations.

Who needs to comply:

All employers with 25 or more employees must comply, effective July 26, 1992.

All employers with 15-24 employees must comply, effective July 26, 1994.

Public Services

State and Local Governments

State and local governments may not discriminate against qualified individuals with disabilities.

All government facilities, services and communications must be accessible consistent with the requirements of Section 504 of the Rehabilitation Act of 1973.

Transportation

New Public transit buses ordered after August 26, 1990, must be accessible to individuals with disabilities.

Transit authorities must provide comparable paratransit or other special transportation services to individuals with disabilities who cannot use fixed route bus service, unless an undue burden would result.

Existing rail systems must have one accessible car per train by July 26, 1995.

California Governor's Committee on Employment of People with Disabilities is affiliated with the National Association of Governors' Committees on People With Disabilities and Community/Mayors' Committees throughout California.

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New rail cars ordered after August 26, 1990, must be accessible.

New bus and train stations must be accessible.

Key stations in rapid, light, and commuter rail systems must be made accessible by July 26, 1993, with extensions up to 20 years for commuter rail (30 years for rapid and light rail).

All existing Amtrak stations must be accessible by July 26, 2010.

Public Accommodations

Private entities such as restaurants, hotels and retail stores may not discriminate against individuals with disabilities, effective January 26, 1992.

Auxiliary aids and services must be provided to individuals with vision or hearing impairments or other individuals with disabilities, unless an undue burden would result.

Physical barriers in existing facilities must be removed, if removal is readily achievable. If not, alternative methods of providing the services must be offered, if the construction and alterations of facilities must be accessible.

Telecommunications

Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TTY's) or similar devices, effective July 26, 1993.

Reprinted by the State Employment Development Department from information originating at the National Council on Disability.